

§ 1230.110

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system plan, as described in 7 CFR 205.201, but not sold, labeled, or represented as organic, shall not disqualify a producer from exemption under this section, except that producers who produce both organic and non-organic agricultural commodities as a result of split operations shall not qualify for exemption. Reasons for conventional sales include lack of demand for organic products, isolated use of antibiotics for humane purposes, chemical or pesticide use as the result of State or emergency spray programs,

and crops from a buffer area as described in 7 CFR part 205, provided all other criteria are met.

[70 FR 2760, Jan. 14, 2005]

ASSESSMENTS

§ 1230.110 Assessments on imported pork and pork products.

(a) The following Harmonized Tariff Schedule (HTS) categories of imported live porcine animals are subject to assessment at the rate specified.

Live porcine animals	Article description	Assessment
0103.10.0000	Purebred breeding animals	0.40 percent Customs Entered Value.
0103.91.00	Other: Weighing less than 50 kg each.	
0103.91.0010	Weighing less than 7 kg each	0.40 percent Customs Entered Value.
0103.91.0020	Weighing 7 kg or more but less than 23 kg each	0.40 percent Customs Entered Value.
0103.91.0030	Weighing 23 kg or more but less than 50 kg each	0.40 percent Customs Entered Value.
0103.92.00	Weighing 50 kg or more each.	
0103.92.0010	Imported for immediate slaughter	0.40 percent Customs Entered Value.
0103.92.0090	Other	0.40 percent Customs Entered Value.

(b) The following HTS categories of imported pork and pork products are subject to assessment at the rates specified.

Pork and pork products	Article description	Assessment	
		Cents/lb	Cents/kg
0203	Meat of swine, fresh, chilled, or frozen: Fresh or chilled:		
0203.11.0000	Carcasses and half-carcasses .....	.20	.440920
0203.12.1010	Processed hams and cuts thereof, with bone in .....	.20	.440920
0203.12.1020	Processed shoulders and cuts thereof, with bone in .....	.20	.440920
0203.12.9010	Other hams and cuts thereof, with bone in .....	.20	.440920
0203.12.9020	Other shoulders and cuts thereof, with bone in .....	.20	.440920
0203.19.2010	Processed spare ribs .....	.23	.507058
0203.19.2090	Processed other .....	.23	.507058
0203.19.4010	Bellies .....	.20	.440920
0203.19.4090	Other .....	.20	.440920
0203.21.0000	Frozen carcasses and half-carcasses .....	.20	.440920
0203.22.1000	Frozen-processed hams, shoulders, and cuts thereof, with bone in .....	.20	.440920
0203.22.9000	Frozen-other hams, shoulders, and cuts thereof, with bone in .....	.20	.440920
0203.29.2000	Frozen processed other .....	.23	.507058
0203.29.4000	Frozen other: Other .....	.20	.440920
0206	Edible offal of bovine animals, swine, sheep, goats, horses, asses, mules or hinnies, fresh, chilled, or frozen:		
0206.30.0000	Of swine, fresh or chilled .....	.20	.440920
0206.41.0000	Of swine, frozen: Livers .....	.20	.440920
0206.49.0000	Of swine, frozen: Other .....	.20	.440920
0210	Meat and edible meat offal, salted, in brine, dried or smoked; edible flours and meals of meat or meat offal:		
0210.11.0010	Meat of swine: Hams and cuts thereof, with bone in .....	.20	.440920
0210.11.0020	Meat of swine: Shoulders and cuts thereof, with bone in .....	.20	.440920
0210.12.0020	Meat of swine: Bellies (streaky) and cuts thereof, Bacon .....	.20	.440920
0210.12.0040	Meat of swine: Bellies (streaky) and cuts thereof, Other .....	.20	.440920
0210.19.0010	Meat of swine: Canadian style bacon .....	.23	.507058
0210.19.0090	Meat of Swine: Other .....	.23	.507058
1601	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products:		
1601.00.2010	Pork canned .....	.28	.617288
1601.00.2090	Pork other .....	.28	.617288
1602	Other prepared or preserved meat, meat offal or blood.		
1602.41.2020	Of swine: Boned and cooked and packed in airtight containers holding less than 1 kg.	.30	.661380
1602.41.2040	Of swine: Other boned and cooked and packed in airtight containers30	.661380
1602.41.9000	Of swine: Other20	.440920

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Pork and pork products	Article description	Assessment	
		Cents/lb	Cents/kg
1602.42.2020	Of swine: Shoulders and cuts thereof: Boned and cooked and packed in airtight containers holding less than 1 kg.	.30	.661380
1602.42.2040	Of swine: Shoulders and cuts thereof: Other boned and cooked and packed in airtight containers.	.30	.661380
1602.42.4000	Of swine: Other shoulders and cuts thereof .....	.20	.440920
1602.49.2000	Of swine: Other, including mixtures: Not containing cereals or vegetables: Boned and cooked and packed in air-tight containers.	.28	.617288
1602.49.4000	Of swine: Other, including mixtures: Not containing cereals or vegetables: Other	.23	.507058
1602.49.9000	Of swine: Other, including mixtures: Other .....	.23	.507058

[69 FR 9925, Mar. 3, 2004]

§ 1230.111 Remittance of assessments on domestic porcine animals.

Assessments on domestic porcine animals shall be remitted to the National Pork Board pursuant to §1230.71(b) in accordance with the following remittance schedule.

(a) Monthly assessments totaling \$25 or more shall be remitted to the Board by the 15th day of the month following the month in which the porcine animals were marketed or by the 15th day following the end of a Board-approved, consecutive 4-week period in which the porcine animals were marketed.

(b) Assessments totaling less than \$25 during each month of a quarter in which the porcine animals were marketed may be accumulated and remitted by the 15th day of the month following the end of a quarter. The quarters shall be: January through March; April through June; July through September; October through December.

(c) Assessments totaling \$25 or more during any month of a quarter must be remitted by the 15th day of the month following the month of the quarter in which the assessments totaled \$25 or more, together with any unremitted assessments from the previous month(s) of the quarter, if applicable.

(d) Assessments collected during any calendar quarter and not previously remitted as described in paragraphs (b) or (c) of this section must be remitted by the 15th day of the month following the end of the quarter regardless of the amount.

[56 FR 6, Jan. 2, 1991]

§ 1230.112 Rate of assessment.

In accordance with §1230.71(d) the rate of assessment shall be 0.40 percent of market value.

[67 FR 58323, Sept. 16, 2002]

§ 1230.113 Collection and remittance of assessments for the sale of feeder pigs and market hogs.

Pursuant to the provisions of §1230.71, purchasers of feeder pigs or market hogs shall collect assessments from producers if an assessment is due and shall remit those assessments to the Board. Failure of the purchaser to collect such assessment from a producer shall not relieve the producer of the obligation to pay the assessment. If the purchaser fails to collect the assessment when an assessment is due pursuant to §1230.71, the producer (seller) shall remit the total amount of assessments due to the Board as set forth in §1230.111.

[65 FR 7283, Feb. 14, 2000]

§ 1230.115 Submission of annual financial statements.

State Pork Producer Associations, as defined in §1230.25, that receive distributions of assessments pursuant to §1230.72 and that receive less than \$30,000 in assessments annually, may satisfy the requirements of §1230.74(b) by providing to the Board unaudited annual financial statements prepared by State association staff members or individuals who prepare annual financial statements, provided that two members of the State association attest to and certify such financial statements. Notwithstanding any provisions of the Order to the contrary, State associations that receive less than \$30,000 in distributed assessments annually